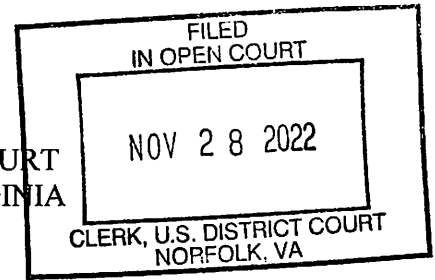


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Newport News Division



UNITED STATES OF AMERICA

v.

KHALIL RASHAD ARMSTRONG,

Defendant.

)
)
)
)
)
)
)

CRIMINAL NO. 4:22-cr-12-001

STATEMENT OF FACTS

The United States and the defendant, KHALIL RASHAD ARMSTRONG, (hereinafter, "the defendant"), agree that at trial, the United States would have proven the following facts beyond a reasonable doubt with admissible and credible evidence:

1. On or about February 21, 2021, the defendant's co-defendant, D.D., unlawfully straw purchased a firearm, specifically, a Taurus, Model G3, 9mm, semiautomatic handgun, S/N: ACA441219 for KHALIL RASHAD ARMSTRONG.

2. The defendant aided and abetted D.D.'s unlawful purchase of the firearm referenced in paragraph 1 – specifically facilitating and participating in the purchase by selecting the type of firearm and supplying D.D. with the money to complete the transaction.

3. D.D. unlawfully straw purchased the firearm referenced above for the defendant from a licensed dealer of firearms by knowingly making a false and fictitious written statement as to a fact material to the lawfulness of such sale of the said firearm. Specifically, D.D. failed to accurately represent that the defendant, the actual purchaser, was under 21 years of age at the time and that defendant was an unlawful user of a controlled substance.

Two handwritten signatures in black ink. The one on the left is a stylized "V" or "K" shape. The one on the right is a more complex signature, possibly reading "P.O. [unclear]".

4. D.D. knew the defendant was the actual purchaser; D.D. knew the defendant was under 21 years of age at the time of purchase; and D.D. knew and had reasonable cause to believe that defendant was an unlawful user of a controlled substance.

5. On or about February 21, 2021, defendant was an unlawful user of a controlled substance.

6. On or about February 21, 2021, defendant possessed the Taurus, Model G3, 9mm, semiautomatic handgun, S/N: ACA441219 referenced above and below.

7. The Taurus, Model G3, 9mm, semiautomatic handgun, S/N: ACA441219 was manufactured outside of the Commonwealth of Virginia and was shipped in interstate or foreign commerce prior to February 21, 2021.

8. The false written statements and representations of facts material to the lawfulness of the firearm purchase D.D. made on the Form 4473 and to the licensed firearm dealer pertained to information that the law requires licensed firearm dealers to keep.

9. On or about February 21, 2021, in the Eastern District of Virginia, the defendant, KHALIL RASHAD ARMSTRONG aided and abetted his co-defendant, D.D., in connection with the acquisition of a firearm, to wit: a Taurus, Model G3, 9mm, semiautomatic handgun, S/N: ACA441219, from Wilcox Bait & Tackle Inc., a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, in knowingly making a false and fictitious written statement to Wilcox Bait & Tackle Inc., as to a fact material to the lawfulness of such sale of the said firearm to D.D. under Chapter 44 of Title 18, in that D.D., did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives Form 4473, Firearms Transaction Record, to the effect that D.D. was the actual buyer of the firearm indicated on the Form 4473, when in

fact as D.D. and the defendant then knew, the defendant was the actual buyer of the firearm, in violation of Title 18 United States Code, Sections 922(a)(6) and 2.

10. This statement of facts includes those facts necessary to support the plea agreement between the defendant and the United States. It does not include each and every fact known to the defendant or to the United States, and it is not intended to be a full enumeration of all of the facts surrounding the defendant's case.

VJ P.O. [Signature]

11. The actions of the defendant, as recounted above, were in all respects knowing and deliberate, and were not committed by mistake, accident, or other innocent reason.

Respectfully submitted,

Jessica D. Aber
United States Attorney

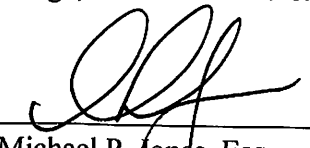
By: 

Peter G. Osyf
Assistant United States Attorney
VA Bar No. 86597
Fountain Plaza Three, Suite 300
721 Lakefront Commons
Newport News, Virginia 23606
(757) 591-4000
peter.osyf@usdoj.gov

After consulting with my attorney and pursuant to the plea agreement entered into this day between the defendant, KHALIL RASHAD ARMSTRONG, and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.


KHALIL RASHAD ARMSTRONG

I am Michael P. Jones, defendant's attorney. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.


Michael P. Jones, Esq.
Attorney for KHALIL RASHAD ARMSTRONG